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December 16, 2003

### CERTIFICATE OF MAILING 37 C.F.R. 1.8

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Sharon A. Beresford

### MS DD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/618,102 entitled "QUANTITATIVE RT-PCR TO AC133 TO DIAGNOSE CANCER AND MONITOR ANGIOGENIC ACTIVITY" – Edward H. Lin et al.*  
*Our reference: UTSC:755US*  
*Client reference: MDA02-052*

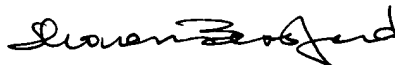
Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references A1-A2 and C1-C31.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:755US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

  
Sharon A. Beresford  
Reg. No. 52,615  
Patent Agent

SAB/kmv  
Encl.: as noted

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Edward H. Lin *et al.*

Serial No.: 10/618,102

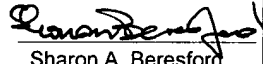
Filed: July 11, 2003

For: QUANTITATIVE RT-PCR TO AC133 TO  
DIAGNOSE CANCER AND MONITOR  
ANGIOGENIC ACTIVITY IN A CELL  
SAMPLE

Group Art Unit: 1623

Examiner: Unknown

Atty. Dkt. No.: UTSC:755US

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December 16, 2003	
Date	Sharon A. Beresford

**INFORMATION DISCLOSURE STATEMENT**

MS DD

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

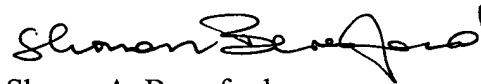
In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:755US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Sharon A. Beresford  
Reg. No. 52,615  
Agent for Applicants

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Date: December 16, 2003

Form PTO-1449 (modified)

Statement of Patents and Publications for Applicant's

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.

UTSC:755US

Serial No.

10/618,102

Applicant

Edward H. Lin *et al.*

Filing Date:

July 11, 2003

Group:

1623

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	6,329,179	12/11/01	Kopreski	435	91.2	3/14/97
	A2	6,037,129	3/14/00	Cole <i>et al.</i>	435	6	5/28/98

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Asahara <i>et al.</i> , "VEGF contributes to postnasal neovascularization by mobilizing bone marrow-derived endothelial progenitor cells," <i>EMBO J.</i> , 18(14):3964-3972, 1999.
	C2	Bhatia, "AC133 expression in human stem cells," <i>Leukemia</i> , 15(11):, 1685-1688, 2001.
	C3	Boyer <i>et al.</i> , "Isolation of endothelial cells and their progenitor cells from human peripheral blood," <i>J. Vasc. Surg.</i> , 31(1-1):181-189, 2000.
	C4	Buhring <i>et al.</i> , "AC133 antigen expression is not restricted to acute myeloid leukemia blasts but is also found on acute lymphoid leukemia blasts and on a subset of CD34+ B-cell precursors," <i>Blood</i> , 94(2):832-833, 1999.
	C5	Byrne and Bundred, "Surrogate markers of tumoral angiogenesis," <i>Biological Markers</i> , 15(4):334-339, 2000.
	C6	Corbeil <i>et al.</i> , "The human AC133 hematopoietic stem cell antigen is also expressed in epithelial cells and targeted to plasma membrane protrusions," <i>Journal of Biological Chemistry</i> , 275(8):5512-5520, 2000.
	C7	Dimitriou <i>et al.</i> , "In vitro proliferative and differentiating characteristics of CD133(+) and CD34(+) cord blood cells in the presence of thrombopoietin (TPO) or erythropoietin (EPO): potential implications for hematopoietic cell transplantation," <i>Leukemia Research</i> , 27(12):1143-1151, 2003.

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Atty. Docket No.

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UTSC:755US

10/618,102

List of Patents and Publications for Applicant's

Applicant

Edward H. Lin *et al.*

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U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

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## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C8	Folkman <i>et al.</i> , "Angiogenesis research: guidelines for translation to clinical application," <i>Thrombosis Haemostasis</i> , 86:23-33, 2001.
	C9	Forraz <i>et al.</i> , "AC133+ umbilical cord blood progenitor demonstrate rapid self-renewal and low apoptosis," <i>British Journal of Haematology</i> , 119(2):516-524, 2002.
	C10	Gill <i>et al.</i> , "Vascular trauma induces rapid but transient mobilization of VEGFR2+AC133+ Endothelial precursor cells," <i>Circ. Res.</i> , 88(2):167-174, 2001.
	C11	Handgretinger <i>et al.</i> , "Biology and plasticity of CD133+ hematopoietic stem cells," <i>Annals of the New York Academy of Sciences</i> , 996:141-151, 2003.
	C12	Hariharan <i>et al.</i> , "Human immunodeficiency virus infection of human placental cord blood CD34+AC133+ stem cells and their progeny," <i>AIDS Res. Hum. Retroviruses</i> , 15(17):1545-1552, 1999.
	C13	Hurvitz <i>et al.</i> , "Bevacizumab (a monoclonal antibody to vascular endothelial growth factor) prolongs survival in first-line colorectal cancer(CRC): results of a phase III trial of bevacizumab in combination with bolus IFL (irinotecan, 5-fluorouracil, leucovorin) as a first-line therapy in subjects with metastatic CRC," PRO ASCO Conference, Chicago, Ill., abst #3536, 2003.
	C14	Kanayasu-Toyoda <i>et al.</i> , "CD31 (PECAM-1)-bright cells derived from AC133-positive cells in human peripheral blood as endothelial-precursor cells," <i>Journal of Cellular Physiology</i> , 195(1):119-129, 2003.
	C15	Lee <i>et al.</i> , AC133 antigen as a prognostic factor in acute leukemia," <i>Leukemia Research</i> , 25(9):757-767, 2001.
	C16	Marchetti <i>et al.</i> , "Prediction of survival in stage I lung carcinoma patients by telomerase function evaluation," <i>Lab. Invest.</i> , 82(6), 2002.
	C17	Miraglia <i>et al.</i> , "A response to AC133 hematopoietic stem cell antigen: human homologue of mouse kidney prominin or distinct member of a novel protein family?" <i>Blood</i> , 91(11):4390-4391, 1998.
	C18	Mundhenke <i>et al.</i> , "Tissue examination to monitor antiangiogenic therapy: a phase I clinical trial with endostatin," <i>Clinical Cancer Res.</i> , 7:3366-3374, 2001.
	C19	Nakatani <i>et al.</i> , "Circulating endothelial cells in Kawasaki disease," <i>Clinical &amp; Experimental Immunology</i> , 131(3):536-540, 2003.

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Atty. Docket No.  
UTSC:755USSerial No.  
10/618,102Applicant  
Edward H. Lin *et al.*Filing Date:  
July 11, 2003Group:  
1623U.S. Patent Documents  
*See Page 1*Foreign Patent Documents  
*See Page 1*Other Art  
*See Page 1*

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C20	Reyes <i>et al.</i> , "Origin of endothelial progenitors in human postnatal bone marrow," <i>J. Clin. Invest.</i> , 109(3):337-346, 2002.
	C21	Reyes <i>et al.</i> , "Purification and ex vivo expansion of postnasal human marrow mesodermal progenitor cells," <i>Blood</i> , 98(9):2615-2625, 2001.
	C22	Salven <i>et al.</i> , "VEGFR-3 and CD 133 identify a population of CD34+ lymphatic/vascular endothelial precursor cells," <i>Blood</i> , 101(1):168-172, 2003.
	C23	Schmeisser <i>et al.</i> , "Monocytes coexpress endothelial and macrophagocytic linkage markers and form cord-like structures in Matrigel under angiogenic conditions," <i>Cardiovascular Res.</i> , 49:671-680, 2001.
	C24	Shi <i>et al.</i> , "Influence of nitric oxide synthase II gene disruption on tumor growth and metastasis," <i>Cancer Res.</i> , 60:2579-2583, 2000.
	C25	Shi <i>et al.</i> , "Regulation of vascular endothelial growth factor expression by acidosis in human cancer cells," <i>Oncogene</i> , 20:3751-3761, 2001.
	C26	Singh <i>et al.</i> , "Identification of a cancer stem cell in human brain tumors," <i>Cancer Res.</i> , 63:5821-5828, 2003.
	C27	Ueda <i>et al.</i> , "DNA microarray analysis of stage progression mechanism in myelodysplastic syndrome," <i>British Journal of Haematology</i> , 123(2):288-296, 2003.
	C28	Vercauteren <i>et al.</i> , "CD133 (AC133) expression on AML cells and progenitors," <i>Cytotherapy</i> , 3(6):449-459, 2001.
	C29	Xu <i>et al.</i> , "One-step analysis and quantification of RNA by RT-PCR: using high-temperature reverse transcription," <i>Focus</i> , 22(1):3-5, 2000.
	C30	Yin <i>et al.</i> , "AC133, a novel marker for human hematopoietic stem and progenitor cells," <i>Blood</i> , 90(12):5002-5012, 1997.
	C31	Yu <i>et al.</i> , "AC133-2, a novel isoform of human AC133 stem cell antigen," <i>Journal of Biological Chemistry</i> , 277(23):20711-20716, 2002.

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